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EXAMINER

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

1. The amendment of July 18, 2008 has been received and entered. With the entry of the amendment, claims 2-6, 9, 11, 20-31 and 33-34 are canceled, and claims 1, 7-8, 10, 12-19 and 32 are pending for examination.

Priority

2. With the amendment of July 18, 2008, applicant filed a verified translation of the priority document, Japan 2003-78485. In the amendment, applicant indicated that this translation would overcome the use of WO 03/056614 ('614) as prior art under 35 USC 102(a). The Examiner has reviewed the translation, however, this document does not support the presently pending claims, specifically independent claim 1 (from which all other claims depend) and dependent claim 32, and therefore it does not overcome the use of '614 as prior art under 35 USC 102(a). Claim 1, in the last 4 lines, provides for a series of ingredients in the pretreatment liquid. However, the only disclosure of specific pretreatment materials in the certified translation is in paragraph [0059] to the specific use of specific amounts of palladium chloride and HCl. It is not even indicated that the solution is aqueous. As a result, the listed ingredients provided by claim 1 are not fully supported by the verified translation as filed, and since all other claims depend from claim 1, no claims are fully supported by the certified translation as filed.

As to claim 32, it is not indicated in the verified translation as filed that the pretreatment liquid can be an aqueous liquid with palladium sulfate and sulfuric acid.

As to the statement of common ownership of '614 and the present application, this does not overcome the rejection, because the qualification as prior art under 35 USC 102(a) remains as discussed above, and the statement of common ownership under 35 USC 103(c) does not apply if the reference qualifies as prior art under 35 USC 102(a).

Claim Rejections - 35 USC § 112

3. The rejection of claims 1, 12-19 and 32-34 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement is withdrawn due to the inclusion of the features of claim 6 into independent claim 1 by the amendment of July 18, 2008.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the

various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1, 7-8, 12-13, 17, 19 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrier et al (US 5843517) in view of Chen et al (US 6699380), Japan 11-317161 (hereinafter '161) and EITHER WO 03/056614 (hereinafter '614) OR Japan 2001-316879 (hereinafter '879).

Ferrier teaches a substrate processing method. Column 3, lines 15-35. A substrate is provided having both a metal region and an insulating film on a surface thereof. Column 2, lines 55-65 and column 4, lines 40-55. Ferrier provides a preplating treatment to the surface of the substrate, where pretreatment liquid (activator solution) is brought into contact with the surface of the substrate. Column 3, lines 15-25. This liquid etches the surface from the acid in the liquid (thereby removing a metal oxide film from the surface of the metal region and residue from a surface of the insulating film, which will inherently occur given the "etching" and the amount of acid in the solution). Column 3, line 65 through column 4, line 10 and column 4, lines 30-40. At the same time, the liquid also contains catalyst ions that impart a catalyst to the metal region so as to activate the surface of the metal region. Column 3, lines 35-50 and

column 4, lines 30-40. Then, pretreatment liquid remaining on the surface is removed in a rinsing treatment. Column 4, lines 20-25. Then an electroless plating process is performed on the surface of the substrate to selectively plate and alloy film on the surface of the metal region. Column 4, lines 20-30, column 3, lines 1-10, and column 5, lines 25-50. While Ferrier teaches adding an "oxidizing agent" to his pretreatment solution of aqueous acidic solution (column 3, lines 15-25), Ferrier also teaches "comparative" examples where the pretreatment liquid does not contain the "oxidizing agent" and rather can contain, for example aqueous acidic liquid containing palladium chloride (comparative example 1 or example 5 comparatives, for example) and notes the use of sulfates (column 2, lines 38-41) and further can contain acids in the form of hydrochloric acid (comparative example 1, 2) or sulfuric acid (comparative example 1, example 5 comparatives). Ferrier notes that electroless plating occurs from the comparative examples, and in some cases without overplate. See comparative examples 1 and 2 and example 5. The comparative examples teach useful and usable plating processes, because as discussed in MPEP 2123, "The use of patents as references is not limited to what the patentees describe as their own inventions or to the problems with which they are concerned. They are part of the literature of the art, relevant for all they contain." In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)). Furthermore, MPEP 2123 goes on to state that ""A known or obvious composition does not become patentable simply because it has been described as somewhat inferior to

some other product for the same use.” In re Gurley, 27 F.3d 551, 554, 31 USPQ2d 1130, 1132 (Fed. Cir. 1994).” These pretreatment materials are provided in a manner so as to form a continuous pretreatment film on the surface of the substrate during the pre-plating treatment, thus preventing the activated surface of the metal region from being re-oxidized since it is not exposed to an oxidizing environment. See comparative examples 1 and 2 and example 5 (the substrate is immersed in the pretreatment solutions for a set period of time). The pretreatment solution can be applied by spraying. Column 4, lines 30-40.

Claim 12: the rinsing includes rinsing with water. Column 5, lines 20-25.

Claim 17: a desired temperature of the solution is between 20-40 degrees C. Column 4, lines 30-40. A desired concentration of components is also given. Column 3, line 35 through column 4, line 10.

Claims 32: the comparative pretreatment liquid can include sulfuric acid. See comparative example 1 and example 5 comparatives. Palladium is provided in the pretreatment liquids from salts such as palladium chloride. See comparative example 1 and example 5 comparatives. Ferrier also provides the use of sulfates and chlorides to provide the salts. Column 3, lines 38-41.

Ferrier does not teach that (1) the initial substrate is dry (claim 1), (2) that after electroless plating the substrate is post-cleaned and dried (claim 1), (3) spraying solution on a downwards facing substrate and rotating the substrate (claims 1,7), (4) the different flow paths (claim 8), (5) the pure water used (claim 12), (6) the cleaning using

aqueous liquid mixed with one component or more of an electroless plating solution (claim 13), (7) maintaining conditions of the pretreatment conditions and electroless plating conditions (claims 17, 19), (8) that the pretreatment liquid without oxidizing agent specifically removes metal oxides, and (9) the sealing of an outer peripheral portion of the substrate during pretreatment, but not during rinsing or electroless plating (claim 1). As to a dry substrate, Ferrier does teach that the process can begin with contacting with the pretreatment activator solution, as the steps 1 and 2 are optional (column 4, lines 15-30).

Chen teaches a substrate processing method that can be used to treat integrated circuits with metal regions. Column 1, lines 15-20. The process includes providing a dry substrate to a processing module. Column 8, lines 5-20. Then, preprocessing occurs. Column 8, lines 10-20. Then, plating, which can be electroless plating, occurs. Column 8, lines 15-25 and column 1, lines 25-30. Finally, post processing, including rinsing, cleaning, and drying occurs. Column 8, lines 20-30. Rinsing in the various steps can be done with pure water. Column 5, line 1 and 39. Liquid can be dispensed to the substrate from a nozzle and the substrate can be facing downwardly. Column 5, lines 1-20. The substrate can be rotated during the treatment steps. Column 5, lines 1-20.

'161 teaches that it is well known that an acid solution of palladium chloride can be used to both etch and catalyze a surface prior to electroless plating. See the abstract. This surface to be etched is of metal oxide. See the abstract.

'614 teaches that when providing pretreatment for an electroless process, the substrate can be held facing downwards while sealing an outer peripheral portion of the substrate and treatment solution is sprayed upward onto the surface of the substrate from a nozzle system. Figure 2 and pages 10-15.

'879 teaches that when providing treatment (washing) liquid to a substrate wafer, the wafer can be held facing downwards in a holder that seals an outer peripheral portion of the wafer, and treatment liquid is sprayed upwards onto the surface of the substrate from a nozzle system. See figure 1, abstract and paragraphs [0022], [0024] (see supporter 18 and how the wafer is pressed against it, including the parts over the peripheral edge of the wafer, during treatment).

Referring to claim 13, the Examiner has taken official notice that it is well known in the art of electroless plating to rinse the substrate with a surface active agent, reducing agent, chelating agent, complexing agent, or other component of the electroless plating bath prior to plating the substrate. As applicant has not traversed this statement from the June 9, 2006 Office Action, it is understood to be agreed to prior art.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ferrier to (1) (2) provide that the initial substrate is dry and that after plating the substrate is post-cleaned and dried as suggested by Chen with an expectation of providing a desirable electroless plating process, because Ferrier teaches a pretreatment and electroless plating process for a substrate and Chen teaches

that when providing a pretreatment and electroless plating process, it is well known to start with a dry substrate and to post-clean and dry the substrate after plating. It would further have been obvious to (3) modify Ferrier to provide spraying solution and rinsing liquid on a downwards facing substrate and rotating the substrate as suggested by Chen with an expectation of providing a desirable electroless plating process, because Ferrier provides that the pretreatment liquid in the plating process can be applied by spraying and Chen teaches that it is well known in electroless plating to provide the liquids to a downwards facing substrate and rotating the substrate during treatments. (4) As to the different flow paths of claim 8, while the flow path system of the rinsing and the pretreatment fluid are not disclosed it would have been obvious to one of ordinary skill that the fluid leading into the nozzle from the pretreatment liquid source must flow from a different source than the rinsing fluid as the two fluids are different and must have different sources therefore the flow paths cannot be identical even if some of the same flow paths is used. (5) It would further have been obvious to modify Ferrier to provide pure water rinsing liquid as suggested by Chen with an expectation of providing a desirable electroless plating process, because Ferrier provides rinsing with water and Chen teaches that it is well known in electroless plating processes to provide pure rinsing water. (6) As to the cleaning using aqueous liquid mixed with one or more components of an electroless plating solution, it would have been obvious to modify Ferrier in view of Chen to provide such a cleaning liquid with an expectation of providing a desirable electroless plating process, because it is

well known in the art of electroless plating to be desirable to rinse the substrate with a surface active agent, reducing agent, chelating agent, complexing agent, or other component of the electroless plating bath prior to plating the substrate. (7) As to maintaining the conditions of the pretreatment conditions and the electroless plating conditions, Ferrier teaches desirable pretreatment liquid conditions, and it would have been obvious to one of ordinary skill in the art to maintain the conditions within the desired ranges in order to achieve the desired benefits of those ranges. As to the electroless plating conditions, it would be obvious to one of ordinary skill to keep the temperature, composition and component concentrations in predetermined ranges during the plating process so that the plating proceeds at a uniform rate. It would be obvious to one of ordinary skill to stop the plating process when the thickness of the plated layer reaches its desired thickness so that the plating does not progress past the desired thickness. (8) It further would have been obvious that the pretreatment solution of Ferrier in view of Chen without the added oxidizing agent can desirably etch a metal oxide film on the metal surface as suggested by '161 as part of the process of providing a desirable electroless plating film, because Ferrier in view of Chen teach that a pretreatment liquid of palladium chloride or other salts can be provided in an aqueous acid solution with hydrochloric or sulfuric acid without further oxidizing agent added as a pretreatment liquid before electroless plating and Ferrier also teaches the desire to activate and etch with pretreatment liquid, and '161 teaches that it is well known that palladium chloride in an acid solution can conventionally be used to etch and activate

metal oxide surfaces, and thus the application of the palladium/acid solution without oxidizing agent of Ferrier can be desirably used for etching and activating. (9) It further would have been obvious to modify Ferrier in view of Chen and '161 to provide that the peripheral edge of the substrate is sealed during spray application of pretreatment liquid as suggested by EITHER '614 OR '879 in order to provide a desirable spray application of the pretreatment liquid, because Ferrier in view of Chen and '161 teaches the desire to apply pretreatment liquid to a downwards facing wafer from a spray system and BOTH '614 AND '879 shows the desirable use of a holder for the substrate in a plating system when applying liquid to a downwards facing substrate from a nozzle system, where the holder provides sealing of the outer peripheral portion of the substrate. It further would have been obvious for the rinsing and plating to be done while exposing the outer peripheral portion of the substrate, because Chen, for example, shows that it is well known to perform these steps in the exposed fashion (see column 4, lines 25-40 and figures 3 and 4).

7. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrier in view of Chen, '161 and EITHER '614 OR '879 as applied to claims 1, 7-8, 12-13, 17, 19 and 32 above, and further in view of Stevens et al (US Patent No. 6824612).

Ferrier in view of Chen, '161 and EITHER '614 OR '879 discloses all of the features of this claim except that the speed that the substrate is rotated at different times during the processing.

However, Stevens discloses that during the activation of a substrate for electroless plating it is desirable to rotate the substrate at relatively low speeds to facilitate even spreading of the activation solution, and after the application of the activating solution the substrate can be rotated at higher speeds in order to remove any excess activating solution (column 6 lines 30-45).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ferrier in view of Chen, '161 and EITHER '614 OR '879 to use the rotational speeds suggested by Stevens with an expectation that the benefits discussed above will be achieved.

8. Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrier in view of Chen, '161 and EITHER '614 OR '879 as applied to claims 1, 7-8, 12-13, 17, 19 and 32 above, and further in view of Yoshio et al (US Patent No. 6555158).

Ferrier in view of Chen, '161 and EITHER '614 OR '879 discloses all of the features of these claims except that the pretreatment and plating are performed in an atmosphere having less oxygen than the atmosphere (claims 14, 15) and that a film thickness/property is measured after post-cleaning and drying.

However, Yoshio teaches an electroless plating process that includes pretreatment steps. Column 2, lines 30-45. Yoshio teaches that it is desirable to perform the pretreatment, rinsing and plating while rotating and discharging air pressure, thus lowering the pressure below atmospheric, reducing the amount of oxygen to levels

below atmospheric. Figure 10 and column 7, lines 9-48. Yoshio also discloses performing a CMP (chemical mechanical polishing) procedure after the electroless plating, and that this can be done with ease. Column 8, lines 50-55. The only way to know the success of the CMP procedure is to measure the resulting film thickness after the CMP procedure.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ferrier in view of Chen, '161 and EITHER '614 OR '879 to discharge air pressure during the process steps as suggested by Yoshio in order to provide desirable treatment because Ferrier in view of Chen, '161 and EITHER '614 OR '879 provides for treatment while rotating and Yoshio teaches that it is desirable to discharge air pressure while rotating during treatment, thus lowering the pressure below atmospheric, reducing the amount of oxygen to levels below atmospheric. It would further have been obvious to modify Ferrier in view of Chen, '161 and EITHER '614 OR '879 to measure film thickness after plating, post cleaning and drying as suggested by Yoshio in order to provide desirable treatment, because Ferrier in view of Chen, '161 and EITHER '614 OR '879 provides plating, post cleaning and drying, and Yoshio suggests to further perform CMP procedures on the plated substrate, which would provide measuring the resulting film thickness after the procedure to confirm that the proper thickness and uniformity has been reached.

9. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrier in view of Chen, '161 and EITHER '614 OR '879 as applied to claims 1, 7-8, 12-13, 17, 19 and 32 above, and further in view of Arcilesi et al (US Patent No. 4814205).

Ferrier in view of Chen, '161 and EITHER '614 OR '879 teaches all of the features of the claim except measuring the concentration of an impurity and removing the impurity when it reaches a certain level.

Arcilesi teaches that when using an activator solution it deteriorates over time as the palladium ions precipitate out of the solution (form an impurity). Arcilesi teaches that when this happens the activator can be rejuvenated by addition of a ferric ion which redissolves the palladium (removes the impurity)(column 5 lines 15-30).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ferrier in view of Chen, '161 and EITHER '614 OR '879 to monitor the concentration of the palladium ions and to add ferric ions to rejuvenate the solution when the amount of Pd ions got low so as to extend the useful life of the activator solution as suggested by Arcilesi.

10. The Examiner further notes that McConnell et al (US 6165912) teaches electroless pretreatment to activate and remove oxide and electroless plating. The Examiner further notes Ting et al (US 5169680) and Kaja et al (US 5380560) both teach activation pretreatment liquids to be used to prepare a substrate with a metal/insulating region for selective electroless plating.

Response to Arguments

11. Applicant's arguments filed July 18, 2008 have been fully considered but they are not persuasive.

(A) As to the rejection of claims under 35 USC 103 using Ferrier in view of Chen, Japan '161 and WO 03/056614 ('614), applicant argues that '614 should be removed as a reference because (1) it should be removed as prior art under 35 USC 102(a) because of the filing of the verified English translation of applicant's priority document, and (2) it should be removed as prior art by way of 35 USC 102(e) due to the 35 USC 103(c) statement of common ownership.

The Examiner has reviewed these arguments, however, the rejection is maintained because as discussed in the *Priority* section above, applicant's verified English translation of the priority document does not fully support the presently pending claims, and therefore the reference is not removed as prior art under 35 USC 102(a), and further is not removed as prior art by way of 35 USC 102(e), because the 35 USC 103(c) statements are not used if the reference also qualifies for prior art under 35 USC 102(a).

(B) As to the rejection of claims under 35 USC 103 using Ferrier in view of Chen, Japan '161 and Japan 2001-316879 ('879), applicant argues that '879 provides sealing while plating and washing the plated substrate, with no suggestion to seal during a pre-plating treatment as claimed. Furthermore, '879 would not suggest

not sealing during a rinsing and plating process, as it seals during these processes. As well, applicant argues, '879 discloses an electrolytic process, which requires sealing during plating to prevent the outer peripheral portion of the substrate from being plated, and thus teaches away from claim 1 requiring that the electroless process be performed while exposing the outer peripheral portion of the substrate.

The Examiner has reviewed these arguments, however, the rejection is maintained. While '879 does not demonstrate applying the pretreatment liquid before rinsing and electroless plating using the sealed substrate with pretreatment liquid ejected from a nozzle, it has been combined with Ferrier, Chen and '161 to provide the suggestion to do so. Specifically Ferrier teaches that the pretreatment liquid can be applied by spraying, and Chen provides the teaching that it is well known in electroless plating to provide the liquids to a downwards facing substrate and rotating the substrate during treatments (see the rejection above). Given this suggestion to provide the pretreatment liquid by spraying upwards to a downwards facing substrate, one of ordinary skill in the art would look for devices to perform such a process. '879 provides a device with the ability to provide such a process. Although '879 does not use its device in this fashion, it is capable of doing so, given the aqueous liquids being applied. The art of '879 would therefore be reasonably pertinent to the particular problem with which the applicant was concerned since one of ordinary skill in the art would need a device to perform a suggested process that uses apparatus features. As to the not sealing during the rinsing and plating process, the Examiner notes that as discussed by

applicant, the plating process of '879 is to electrolytic, not electroless plating.

Furthermore, as discussed by the rejection above, the reference to Chen indicates that it would be known to rinse and plate surfaces of wafers without sealing the edges during electroless plating processes, and therefore, acceptable coating results would be expected to occur when rinsing and plating without sealing the edges. Applicant has provided no showing that unexpectedly better results occur with not sealing edges when rinsing and plating, for example.

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Katherine A. Bareford whose telephone number is (571) 272-1413. The examiner can normally be reached on M-F(6:00-3:30) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy H. Meeks can be reached on (571) 272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Katherine A. Bareford/
Primary Examiner, Art Unit 1792